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**PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Applicant: BEALS John Michael Group Art Unit: 1647
Serial No.: 10/579,510 Examiner: Marianne P. Allen
Application Date: May 16, 2006 Conf No.: 7502
For: MUTEINS OF FIBROBLAST GROWTH FACTOR 21
Docket No.: X-16280

**AMENDMENT AND
RESPONSE TO RESTRICITION REQUIREMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants provide the following Group election in response to the Restriction Requirement issued by the Examiner for the above-referenced case on January 29, 2008. This amendment and response is being filed within one month of the date of the Office Action, so Applicants submit that no fee is due; however, in the event a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 05-0840. In addition, Applicants provide the following Amendment to the Claims.

Amendments to the Claims are reflected in the listing of claims which begin on page 3 of this paper.

Remarks associated with such amendments appear on page 6 of this paper.

-2-

Restriction Requirement

Claims 42 through 56 of this application are currently pending. The Examiner has made a restriction requirement under 35 U.S.C § 121 and 372 dividing the claims into four groups. Group I, Claims 42-46 and 48; Group II, Claim 47; Group III, Claims 49-51 and 53-55; and, Group IV, Claims 52 and 56.

Applicant hereby elects Group III, Claims 49-51 and 53-55, drawn to a second mutein of human FGF-21, without traverse.